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PATENT

Practitioner's Docket No. 115699-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Forbes, James W.

Application No.: 09/705,056

Group No.: 3617

Filed: November 2, 2000

Examiner: Jules, F.

For: DROPPED DECK CENTER BEAM RAIL ROAD CAR

Assistant Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 25, 2002, finally rejecting claims 1-8, 11-20, 22, 29 and 30.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

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CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
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I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a)
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37 C.F.R. § 1.10*

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Date: 24 May 2002

Signature SLG

Stephen L. Grant
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity \$320.00

Notice of Appeal fee due \$320.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$320.00

TOTAL FEE DUE \$320.00

5. FEE PAYMENT

Attached is a check in the amount of \$320.00.

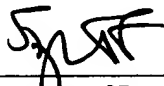
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, charge Deposit Account No. 15-0450.

Date: 24 MAY 2002

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Signature of Practitioner
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